

REMARKS

Claims 24-40 are pending in the present application and are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. Applicants reserve the right to prosecute the subject matter of cancelled claims in a related application.

The Interview Summary mailed February 17, 2005, states that a formal written reply to the last Office Action should include the substance of the interview that took place on February 15, 2005. Applicants note that on February 15, 2005, Applicants' representative discussed Terminal Disclaimer issues with the Examiner as well as the pending claims.

Double Patenting

Claims 24-40 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 3, 4, 6, 7, 9, 10, and 12 of U.S. Patent No. 6,001,591, for reasons of record. The Office Action further states that Applicant convincingly argues that patent claims 5 and 11 should not be included in this rejection.

Without acquiescence to this rejection and in the interest of expediting prosecution, Applicants submit concurrently herewith a Terminal Disclaimer over U.S. Pat. No. 6,001,591 that is in compliance with 37 C.F.R. 1.321.

Claims 24-40 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 4, 6, 7, 9-21, 23, 24, and 26 of U.S. Patent No. 6,086,890, for reasons of record.

Without acquiescence to this rejection and in the interest of expediting prosecution, Applicants submit concurrently herewith a Terminal Disclaimer over U.S. Pat. No. 6,086,890 that is in compliance with 37 C.F.R. 1.321.

Applicants respectfully request withdrawal of these rejections of claims.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 293102002103. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

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